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A TWO EDGED SWORD.

EXTRAORDINARY DISCLOSURE

OF

ARBITRARY POWER UNDER THE GENERAL GOVERNMENT OF THE UNITED STATES.

Developed by the Author for the consideration of the People, the President, and both Houses of Congress, in support of Equal Rights and Equal Privileges, under the Constitution of the United States.

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BY

EDWARD D. TIPPETT.

1846.

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DISCLOSURE, &c.

CHAPTER I.

In publishing this pamphlet to the world, the reader will carefully notice that it is of a three-fold nature: *First*, in vindication of my abilities as a recording Clerk, so unjustly and wickedly stated to be incompetent in a report made to the Senate of the United States, upon a just and righteous claim submitted to that honorable body for examination, in connexion with the laws of the United States in virtue of equal rights and equal privileges under the Constitution of this great Republic. *Secondly*, it has for its object, the correction of long standing evils in the abuse of power, contrary to the established laws, and the acts of the Congress of the United States, by exposing shameful principles of aristocracy and favoritism. *Thirdly*, it is designed to transmit to the people of the U. S. a perfect knowledge of their rights under executive power, which is not generally understood. It is to lay before the public, in as brief a manner as practicable, the duties of the executive power of this nation, to carry out the true principles of equal rights and equal privileges, under the American Constitution, and to call upon the people to make one united effort to batter down the walls of tyranny and oppression, which are now advancing rapidly to a mighty bulwark, and will eventually become a structure not to be moved by the power and breath of words.

It is to make one more mighty effort, in addition to my late pamphlet, of May, 1845, to call the people to the charge; to arouse them to immediate action for the maintenance of justice, and the establishment of their rights by constituted law, not to be violated by mortal man, without conviction. It is to show that the poor man has rights and privileges which must be maintained by the executive, as well as — man of gilt buttons; that the rich and mighty men of eagle coats, have no more power in equity, according to the laws of the nation, than the most weak and abject citizen of the United States.

It is to show that the Congress of the United States has wisely provided for the maintenance of peace and good order in the councils of the nation, and that the law is only violated for the want of moral courage and independence in our rulers; that by nature, man is prone to wander away from justice, to favor the rich, to the injury of the poor, and that thousands are now suffering, for the want of stern moral integrity, in the execution of the duties made binding and obligatory; it is to lay before the public, facts to prove an existing principle in all the heads of departments to favor the strong and to oppress the weak; to fill the mouths of the rich, with the good things of this life, and the poor, to send empty away.

It is to show that whatever our pretensions may be, to the cause of true democracy, and the efforts we may make to elect gentlemen to carry out the true principles of our institutions, there is no confidence to be placed in breath of words. It is to show that moral courage and independence to defend the equal rights of man, are qualifications seldom to be found in a candidate for office; that the heart of man is deceitful above all things, and that nothing will secure our country from the ultimate end of all republics, but the law and the testimony, and that to perpetuate our institutions, the judgments of the people must be informed and their rights well understood.

It is to show that every gentleman offering as a candidtate to serve the people in the capacity of a judge, ruler, or a legislator, should first be solemnly sworn that, in the event of his election he will judge, rule and act, in all instances, without partiality or favoritism; that he will defend the rights of the poor, as well as

the rich; that he will not allow any principle of oppression, if he has it in his power to prevent it; that he will attend to the calls of the common people with the same equal friendship as for the more wealthy; that he will execute the laws of the land, with a special view to justice and truth; and that he will examine and adjust every case of complaint or dispute, with profound reference to the laws of the United States, without favor or affection.

Such has been the injustice and neglect of duty, by gentlemen of loud promises as will be shown by the following statement of facts, that it becomes necessary to warn the people, and to call upon them, never to give their votes, for any man to office under the government until he shall have solemnly complied with the above form of oath with as much more as they may think necessary to make binding. The following narrative will show that a candidate for office may be a man of many words but wonderfully deficient of moral firmness, integrity, and independence, and not capable of being the ruler of a great nation. In the year 1822 as thousands had been before me, by an overruling Providence, I had become straightened in my circumstances, notwithstanding my attention to duties, and found it necessary to change my former business if practicable. I had been a very successful public teacher and perhaps few better situated, but there was a just cause for me to seek a change, at this moment of my life, not generally understood; many have blamed me for not continuing to perform the duties of a teacher, but the following correct and well known principles of my own heart, will satisfy the reader that I have studied with care my true character, and that I have found by experience, that I was not calculated to advance in the business of a common school, that bad as the business is known to be by thousands, there was one that made it distressing, and very unprofitable in my case, and hence the necessity of a change.

I had been for years a public teacher, and had been paid by special appropriation, but after the difference that took place between me and the board of trustees of the Eastern Academy which ended in my discharge *aristocratically*, as I have shown in a previous publication; I found, by experience, that I could not bring my heart to a necessary qualification for success in a common school. I never could in my life, collect money from the distressed, by the legal process of law; that to distress my fellow man, and to compel him beyond his strength was to me a most awful consideration. I have been long known as a teacher and none can say that I ever treated them unmercifully; and that in all instances I have given up my claims freely, when convinced of an overruling and conflicting providence on the part of my subscribers; I never could warrant, or sue a man in my life who manifested a willingness to pay his debts but was not able to do it. Much have I given and much have I lost by tenderness of soul, nor can any man succeed in a certain circle of the common atmosphere at this business without that hardiness of heart which I would not possess for all the gold of Ophir.

But I must qualify the above, lest I should be considered as condemning the legal process of law, the only justifiable mode for civil protection. To the law and the testimony in all cases I humbly submit, and believe it perfectly just and right, in all cases of designed fraud; and he that has it in his power to pay, and will not do it, is a proper subject for legal disgrace. Fortunately for me, I have had no such claims among my friends, or at least I have believed it so from causes and effects, my subscribers have been honorably actuated, poor but highminded, weak but honest, and he must be destitute of common sense who cannot distinguish the honorable willing soul from the able designing character.

CHAPTER II.

With these feelings, I deemed it necessary, to seek other employment, and having long known Col. Bumford by reputation and some little acquaintance, I made my situation known to him. There was no hesitation; he immediately took me

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by the hand, made my case known to Gen. Macomb, and this honorable gentleman assigned to me the situation of recording clerk under him; a situation that I can fill in the best manner, and to the satisfaction of any honorable and reasonable man.

My hand writing was examined by two letters, taken to the General by Col. Bumford and in a stipulated period I was to enter upon my duties.

It is needless for me to attempt to express my feelings of gratitude for the kindness exhibited by Col Bumford on this occasion, nor is it required by him, like myself, *non ignarus mali miseris succurrere disco;* he wants no sentiment to express the feelings natural to a benevolent mind, best felt by himself; he is a man of known feelings of charity, and of good common sense.

General Macomb, was about to be absent for a few days which made it necessary to wait his return. The situation I was to fill, was not yet vacated, and here a most singular act of *treachery* transpired, which filled my place by Mr. Potts, who had been a clerk for Gen. Duff Green before his return; to the great astonishment of Gen. Macomb. A full account of the same has been published in my history of experience in 1832. On his return, I for the first time appeared before him, stating my name. I had not seen him in person, the whole transaction had been between him and Col. Bumford; how Mr. Potts obtained the situation, I refer the reader to that volume for full account.

The General looked at me with astonishment, and said, why Mr. Tippett, I saw a man in your situation, and I supposed it to be you; he got up, and went into the room immediately; come back, and walked the floor some little apparently in some anger. At length he stated the case as before published. It was not then in his power to do any thing for me, unless I would be enlisted in the army of the U. S., if so, he would make an orderly sergeant of me and a messenger until such times as he could get better employment, but acknowledged that it was rather stooping for a man of my respectability, and known abilities as a teacher. After some consideration, I stated that I had a son, about sixteen years of age, who was well able to do the duties and requested the General to enlist him, for whose services I might draw a portion of his wages to help me in this time of my singular and overruling distress. Gen. Macomb at once complied and thought it much the best, promising at the same time, to get me a situation like unto the one I had so unjustly lost.

My son was stationed under him, and was very much liked by the General, nor did I ever know any thing against him; the General stated to me, that he was attentive and willing, he was however ultimately transferred to do the duties of messenger under Major Hoak, and was quickly discharged for not performing an act which would have been disgraceful to a soldier. My son stated the nature of the duties to me and I positively told him not to discharge them, that he was not enlisted for such purposes nor was it any obligatory part of a soldier's business, nor should such conduct be permitted in the department.

Directly on his refusal to comply he was discharged by Major Hoak, from the army and sent home to me not having served out half his time. The reader and the honorable committee of the senate, must now begin to see, that I have a just claim upon the government, for the act of violation, in addition to my own, not to be disputed by the law. His discharge was in the name of Major Hoak, and not signed by Gen. Macomb, the Secretary of War, or the President of the U. S. as the law requires. This discharge may now be seen to have been honorable; and that he was not tried by a court martial for any offence, or convicted in any shape, or form of law for neglect of duty, or disobedience, but discharged by an informal arbitrary power which has been often exercised by the officers, but contrary to the law and special acts of the congress of the United States.

These are some of the violations of the law with which the people are unacquainted and which have been many and ridiculous under this government. The half

can never be told of the abominable arbitrary, and oppressive transactions, by men in high places, and of very fine cloth against the weak and the helpless, particularly those who are unacquainted with the provisions of the law, in support of equal rights, and equal privileges, of which I shall speak at large, in my next account following; and to close this part of the subject, it must be seen by the honorable members of the *Committee on Claims*, in the senate of the U. S. that I am by their own acts, entitled to pay, or that my son has a just claim upon the government of the U. S. for his pay to the end of his term of enlistment which was for five years, and that it cannot be righteously disputed or withheld.

CHAPTER III.

In 1832 I published a work containing a full account of the above, together with many strange circumstances attending my past life. I was traveling through the city to make sale of this work, and accidentally met my worthy and honorable friend, Col. Bumford, once more on his way from the war department to his home about three oclock. I offered him a volume of my work which he took, asking me at the same time what business I was doing. This having been stated, he again offered to get me employment, and told me to call at his office the next morning. This I did; and found him ready to make intercession for me; he quickly went to Col. R. Jones, and returned, requesting me to see the General immediately. I went into his department and for the first time spoke to him. he then and there stated to me that he wanted another assistant recorder; but that he would not ask the secretary for such a clerk. The manner in which he expressed himself was like party feelings, or objections to the administration, that he would not stoop to ask a favour of those he did not like. It was no business of mine; but this appeared to be the only reason he would not ask Secretary Cass to open the situation. Politics, at this time was high above measure, but I was no politician, and had never taken any active part in it.

At this very moment, I thought of a friend, who I knew would ask for the situation, provided he would be willing to give it to me; and I said to him, General, if I can get the place made or opened (for as yet there was no such place) will you let me have the appointment? and he replied that he would. I immediately left the office, went to Amos Kendall, got his letter of recommendation to the honorable Secretary Cass; went back to the office, and showed this to Col. Bumford, who upon seeing it, asked me some questions relative to my acquaintance with Kendall. He said, there is now no difficulty about the matter, show that to Secretary Cass, and the appointment will be made.

With his advice, and what to say, I went up to the secretary, having never seen him before, laid before his honour my recommendations which were many, besides Mr. Kendall. I stated to him the wants of General Jones; and that he had said he would give me the situation, if he, the Secretary would make the appointment. Secretary Cass immediately called the chief clerk, who was sent to General Jones, and it resulted in the opening of this appointment. There was nothing said about temporary employment, and to convince the public of the fact, the situation is yet filled by Lowery, as will be shown hereafter.

Now, let the reader follow out the scene of singular events, which can be proved. I was located in the upper story of the department, very contiguous to Mr. Law, a clerk in the department at this time, and for the first week or ten days, found it very difficult to make out the letters which I had to record; without exception, those written by General R. Jones were, to me, the most insignificantly written of any that had ever come before the human eye, and such were the badly written originals generally, that it took all my time to find out a new alphabet for each hand writing; these letters may now be seen in the office to prove the facts. I had always been in the habit of writing a neat plain and handsome hand; and, of course, not having been used to bad writing, it was at first very troublesome and difficult for me to read such stuff.

I worked on with constant and unremitted attention, but was sometimes extremely mortified, with being compelled to call upon Mr. Law to aid me in deciphering the most accursed scribbles and scratches, that was ever put together for the English language. Once in a while, I would raise up my head, and be certain to find some secret laughing at my profound thought, of forming a new alphabet for each insignificantly written letter. Notwithstanding the great difficulty with which I had to contend, I learned very fast, and in a few weeks, I had a letter for every scratch, mark, scribble, pothook, or hanger; which naturally belonged to each original as an alphabet, wonderfully new and deeply interesting. During this period I could see that the clerks under the General were in hopes that I would have to give it up; but they were most confoundedly disappointed, I had improved most rapidly in my writing, and began to lift up my head and rejoice at the effects of my new alphabet of hieroglyphics. At this period all my study was how to please Gen. Jones, whom I considered as my great benefactor and friend.

Letters were now sent up for me to copy and in order to please the man I delighted to honor, I would nail myself to the desk, and with the observation and correctness of true mechanical art; drive it home to a mathematical point. It was always admitted that I wrote a beautiful hand when teaching, but I had absolutely improved, and felt confident that Gen. Jones wolud promote me rather than attempt to disgrace me. It is not in his or the power of *Maj. Thomas*, that deceitful monster, to make the public believe, that I am unqualified for the duties of recording clerk, or for duties much higher than they can perform, and this I will prove, before I shall have concluded this narrative of shameful facts, for public opinion.

One morning about this time of my great success, Gen. Jones' orderly messenger, (Baker) come into my room with a newspaper in his hand; Tippett said he have you heard the news? What news said I? General Jackson was beheaded last night; oh nonsense said I! Upon this, he laid on my desk, the newspaper, and directed my attention to that shameful event of the image head, of our old and worthy veteran and President of the United States having been sawed off from the Constitution.

I read this account, with deep regret, and repudiated the deed, as unbecoming and very undeserved in language truly sensible, modest and reasonable. The reply by this Baker, was very audacious; he said G. d—m his old soul, he wished it had been his own G. d—m neck. I immediately resented it, by telling him that if he made use of that language again, to me, I would report him to the heads of the department. He went out laughing, and I saw him no more until the next day.

The next morning, I found on my desk a letter directed to me. It was my immediate discharge, signed R. Jones, and this was the *Adjutant General* of the U. S. army. I went down to his honor, and very politely, and indeed with some humility; asked the cause, but was indignantly answered; that he did not want me any longer. Indeed his look was that of an angry man, and in my situation, I was afraid to say more. The reader must see that although his kindness, at first, was good, yet he as an officer, ranking high, violated moral justice, and was not to be respected by me, so much opposed to any violence of party feelings.

I went out noticing at the same time, that this circumstance had given great satisfaction to the clerks in the adjoining room, and who had been on various occasons very insulting, and had discovered a great wish to create confusion in my mind relative to my writing so slowly; which nevertheless was much better than theirs and much admired, and which will be called up in its proper place. I was much astonished and confounded, for some time; but thought of the circumstance of the previous day. At length, I concluded I would go with this letter to Sect. Cass, and relate the transaction.

The honorable Senator Cass will now recollect, that on showing him my discharge, he enquired of me the cause; I stated to him that I could give no reason for this hasty event, unless it was the circumstance of the image head, which I related to him in full. His honor will certainly now recollect, that he immediately replied, oh! that accounted for the whole transaction, and directly called for Mr. Kurtz the chief clerk, to whom he gave the lettter of discharge, and instructed him to call upon the General for his reasons for so doing.

I was not made acquainted with his answer to the Sect.. but was told by his honor, to go to my business, that I was not discharged, and I shall say too, that his honor appeared to be quite displeased.

CHAPTER IV.

I must here comment a little upon this decision of the Hon. Secretary Cass, before I proceed. This is what I denominate as moral courage and independence, without which no man is fit to fill an office in which he must be called upon to judge, rule, and decide disputes between all parties and grades of men in society, without partiality. It is the foundation of good common sense, and springs from a natural principle of justice and charity, and is the very essence of true philanthropy—it is an innate principle of nature—a natural gift of God. Governor Cass appeared to possess a full share of this qualification, for his elevated situation, in this extraordinary case of arbitrary power; but in a future case it will have been shown, he seems to have lost a considerable portion of this all-important qualification, which alone will save our country from that ultimate end into which all republican forms of governments have fallen. Let the people look for a monarchy, if it is not maintained as the greatest qualification for a ruler.

By this independent and justifiable course of Secretary Cass, I was much better situated, although I had to undergo some shameful treatment first. I went back to my room, and found that all my papers and books had been taken out, and that I had nothing to do. After stopping awhile, I concluded I would state the facts to the Secretary, who, upon this information, said, well, get yourself some segars, and smoke them until the work is sent back. I absolutely obeyed, although no smoker. Indeed I sat cross-legged and quite dignified. I looked upon myself as a ruler—all done by the old soldier, to show them some of my good mettle. I carried this on for two days, very well; but the third day the books and papers were laid on the table—and from that moment I had peace and quietness, until the well recollected excursion of the President and the Secretary, in 1834, in many parts of the United States. I now had something to do besides smoking segars and sitting cross-legged, like a gentleman. This altered the case. I now began to feel a little more safe and independent, and as I had been accustomed to do in in common conversation, spoke frequently of mathematical correctness—that such and such things were not according to gunter; and that some letters I had to record, had not been grammatically constructed. I discovered that this was offensive to some of Gen. Jones' clerks, and they began to question my abilities as a mathematician and grammarian, capable of judging. I continued to write in this room until very cold weather. All had fire and a warm room but myself. I repetedly asked for a change, but it was denied me. At last I declared that if there was not a change made, I would appeal to the Secretary, and immediately there was provision made for me, in a room with Lieutenant Prentice.

On one occasion, when distressingly cold, I made application to Prentice to let me come into his room, it being large enough for three to write in, and was most indignantly refused; but when removed by order of the General, it was in this room with this Lieutenant. All went on very well, and I did all I could to get the good will of this gentleman, but without the smallest success. He appeared to take a dislike to me, and I had but little to say to him. Lieutenant Thomas manifested great friendship for me, and I never saw any thing by him, while in

the office, but that of a profound gentleman; nor did I ever hear of any objections to me by him, until the setting up of this claim, now before the Senate of the United States, which was not done for some time after my discharge, and would not have been known to exist, by me, had it not been for an officer in the army, now in the United States service.

I continued in this room with Lieut. Prentice, until the departure of the President and the Secretary for their summer visit as above stated frequently undergoing some singular events one or two of which must be related.

One morning Mr. Hebborn, one of the General Clerks, came in, and with some assumed authority, said, Mr. Tippett, I have the courses and distances of two tracts of land, from which is to be taken another tract, forming three tracts, according to the courses here stated; I want you to give me the plot of each farm and their contents: the one to be formed out of the other two is mine. I replied I will do it for you, if Gen. Jones says so. Oh, never mind, never mind that, he will have no objections, said he. I looked at Lieut. Prentice, and said shall I do it sir. Oh yes, yes, to be sure you must do it. Well then, said I, Mr. Hebborn, you must fetch me a scale, and dividers; which he did in a few minutes.

I immediately proceeded and found after some trial that the scale was incorrect, that it was not according to gunter, as I was in the habit of saying. But while trying this scale I found out the secret by catching a laugh from Lieut. Prentice. I immediately called upon Hebborn, for another scale. I told him that it was incorrect, he insisted that it was not, I declared it was, that I could make as correct a scale as any man. Mr. Prentice told him to get another, he did, I tried it, and proved it correct. The incorrect scale was made of ivory and very handsome, he wanted it again but I would not let him have it. I had discovered the scent, that this was done to try my qualifications as a mathematician by Lieut. Prentice and the clerks, of which I had boasted, and if he could have gotten it again, he would have declared me incompetent to judge, and perhaps went off and made sport for the ignorant. I had secured it in my desk and then took it home as an evidence of their insignificant conduct, and kept it from that time to this.

To try the correctness of a scale, is very simple, and to know that it is incorrect is more simple. It is only to find in 90 degrees, laid down in a chord of 60, that it is not a perfect right angle to the base. I proceeded with the correct scale to plot, according to the courses given, and handed the three plots to Hebborn, correctly done and calculated. I have no comment to make upon this course of duties or conduct in a public department, I will leave public men to say and think, but must say, that that ignorant fellow, Hebborn, has aimed to injure me in Georgetown as a teacher and can be proved, all of which I know has been done, to screen Gen. Jones from any censure for my discharge.

The time had now come for the departure of the Secretary with the President, and God only knows what I feared in the event, as I had understood that they were to be absent about three months; I should not have been afraid of any man had the Secretary remained at home. Soon after they had left the city, Lieut. Prentice was moved out of this room and stationed in the room with the General and Lieut. Thomas. Now what could thishave ben for; he was not wanting near the adjutant? Why place three in one room and one in another? There is a God that will soon judge this matter, whether wrong or right; I believe that he was removed for the very express purpose that I might be insulted without an evidence, to that pitch of resentment and violation of the law, that I might be court martialled, condemned, and dismissed by the law; let the reader examine and judge by the following.

Now, I am coming to the true merits of the case, and I particularly request the reader, and the committee of Congress to notice the mode of treatment in connection with my views, as to the authority for such conduct.

Baker, a messenger, came in and took out a wash bowl pitcher and towel. I asked what he was doing that for? He replied in a very insulting manner that

General Jones had ordered it, that he did not allow me a bowl and pitcher ; they were only allowed to gentlemen. Very well said I, thinking at the same time that Gen. R. Jones had nothing to do with this conduct. I thought him quite ignorant of all this matter and that it was only necessary to inform him, but very soon found to the contrary.

A day or two passed, and I wrote a polite note to the General stating the case, and asking for these articles of constant use. In a few minutes Baker brought in an old broken bowl, and pitcher which would hold no water, and again insulted me. No attention was now paid to my room as formerly, I swept up my own room and brought my water.

But this pitcher had no handle, and as I was fetching water in it, the piece broke out, and it fell which made an end of it. I wrote another note to the General for a pitcher. In a few minutes down come a messenger by the name of Platto, a Sweed, German, Frenchman or some foreigner, and *poked* a black pitcher into my face saying, here, take your p. pot and drink out of it, and immediately disappeared ; this was to me a surprising state of things. I related these circumstances one by one, to my friends in the office, who are now present and their advice was, not to resent them or say any thing about them, until the Secretary came home, that it was done to get me to violate the law, that I might be tried condemned and dismissed. This advice I took and it continued as follows :

A Masonic burying took place, and all belonging to that very ancient and benevolent order, which is to this day without reproach, went to it, but myself. To insult me, I suppose, this Baker come in, and said " *aint* you going to this Masonic burying, all the rest of the d—m—d scoundrels are gone." I made no reply.

I would here commence my comment, but must state one more act of violent outrage for public sentiment. I had seen some shameful conduct at night, about the offices and the President's house, by lewd females which had continued for a considerable time, to the great annoyance of gentlemen and ladies. I wrote an account of this conduct, being an old citizen of this place, and directed it to the Judges of our city court, which caused an immediate correction of these evils. It was found out that I had been the author of this communication, and Baker the messenger, very familiar with Jones' clerks, came into my room to insult me, he began so as to get at the facts, and as soon as I acknowledged I was the author, he said, well if I wanted *a wh—e* to sleep with, I would go to the Methodist meeting house, wait until after sermon and lock arms with the first woman that came out ; this was the conduct to a man of known moral worth, who has been for years a christian and a teacher of divine things, as well as having educated four thousand pupils in this city.

I am now done and will commence my comment of philosophical reasoning. I was discharged after all this suffering, on the 31st day of August, 1834, without any complaint to me whatever. I was notified by the General early in the month that I should be discharged at the end of the month. I went up to him in the presence of Lieutenant Thomas, and asked the General what was the matter? And what he was about to discharge me for? He then and there stated, in the presence of Thomas, that he had nothing against me, that he was compelled to do it to make room for a Captain in the army, who had been disabled. I begged to be retained in the army until the Secretary of War should come home, but he would not comply with this my humble request.

All this time I noticed the face of Lieut. Thomas, and saw in it, the countenance of strong disapprobation, and as I shall testify to all I have said, in this work, I believe that if he was put upon his oath, he would say, *if he fears God*, that he has fabricated an article in that report, to screen the guilty from censure. I asked the General for a recommendation, and he said, certainly, in a very pleasant good humor, and told Mr. Thomas to write it. This gentleman wrote a most

excellent one, such as he believed I deserved. Of this I am confident, and if he was upon oath, he would say so; it qualified me in every sense of the word as a good clerk, and this I saw myself.

This was handed to the General, and that part in it, which qualified me rather strongly as a good clerk, was stricken out by the General and moulded into a deceptive shape, as it is to be seen on the very face of it. It was handed to Lieut. Thomas to copy, and left upon his table, I saw it after office hours, thus modified by R. Jones, admitting attention to duties, good character, &c.

The month rolled around, and, to my astonishment, instead of a *disabled Captain* in the army, a certain Mr. Lowery, formerly a Grocery merchant on Seventh street, and with whom the General had dealt, as I was afterwards informed, had been enlisted and fixed in my situation, absolutely opened or made for me by Secretary Cass. It might have cost Lowery a few dollars to get my place, as some think, but I know not. The qualifications of this man, never could have been as good as mine, at that time, all will admit; and if they are now as good, after the long experience, it must be very doubtful; for some men have not the genius or mind to improve, as is well known to have been my natural gift.

It must therefore have been expected that this would be very offensive to me, to find out that Lowery, with no children or family of any account, had gotten my situation, which I had gotten made or opened by the Secretary for me. It would have been very inconsistent for a Captain, even of the description stated, to have been placed in it, but how a gentleman of General Jones' cloth could have stooped to this transaction, I cannot account. No soldier certainly can be willing to come under his command, after the disclosure of these facts. I ask the honorable Committee of the Senate, and the world, to say, was it not enough to create within my breast a principle of perfect contempt for the man, without any regard to his former kindness, of which he speaks in his report, and a determined resolution to have his conduct investigated by proper authority.

When Secretary Cass came home, I submitted all these facts to him, and I say without fear of being contradicted by him, who, thank God, is a Senator of the United States, that he did manifest great displeasure on the occasion. He sent Mr. Kurtz again to the General—what was communicated, I know not—but I was by him told to lay the subject before the President immediately, with some firmness and apparent anger. But this was not according to gunter—it was not as I would have done. I would have sent for books and papers, and have examined the case according to the law and the testimony and with a reference to constitutional right.

CHAPTER V.

I must now make a short comment upon this course of rectifying evils under the general government of the U. S. and prove for the satisfaction of the people, that this mode of settling matters was inconsistent, and very injurious, not only for me but for the public interests generally, and that it was for the want of moral firmness and independence in the Secretary of War. It was inconsistent because he was the Secretary of War and had the power to put me back immediately and should have done so, to show his decided disapprobation to such conduct. It was wrong because he was acquainted with the law, and knew it had been arbitrarily violated, and without any just cause whatever. The Secretary had decided a former case with becoming firmness and independence, in which he had seen an assumption of arbitrary power over the weak, which the law does not recognize. It was for this very purpose the eleventh article of war was instituted by the Congress of the United States; and not as General Jones says in his report, that it was done according to the provisions of the eleventh article of war. The eleventh article of war was instituted for the purpose of guarding the rights of the soldier in his contract with the government. I cannot think that the Senators of the United States are ignorant of this fact, but if so, I must call their attention to it.

My discharge was diametrically contrary to the law, as we shall show, and as may be seen in this article and so decided by the United States Attorney General. The law was instituted for the express purpose of defending the rights of the soldier, and for the very purpose of preventing aristocratic arbitrary power and oppression over the soldier. Let the reader pay attention to the law itself, and let the honorable committee apply it to their consciences, in connection with this most shameful and ridiculous report of R. Jones, read too, in the Senate in which I have been represented "as a destitute and forlorn old man," by the Senators of the United States to my injury, and in which he, R. Jones represents me, also, as coming to him, "with a sorrowful countenance, and in tones of undissembled distress." All this is against him, for if I was that old worthy gentleman he insinuates in his report; it was to prove to the world that he was a man of no charitable feelings, to discharge a man of such character, with a family of six children, to make room for one of no family even if he had been a *Captain* in the army of the United States, as he said he was to be. But if I had been found unqualified as he states, why did he not represent me as such to the Secretary of War? And if he did, why did not the Secretary examine for himself? My work and books were immediately at his command. The fact is, that no such complaint was ever made or could have been made. My work had all been done in the very best manner; my books clean and kept in good order; but General Jackson's opinion will settle the matter, to whose investigation I am coming. But the Senators of the United States are greatly mistaken; I was young and very strong at the time, not much older than R. Jones, and that day I could render the duties of a soldier better than he.

But let us keep to the point; why send me with this case of abominable arbitrary power and violation of the law, to the President of the United States? Was not the Honorable Secretary Cass his appointed organ, with full power to see the laws of the United States properly carried into effect? I know what was the motive of the Hon. Secretary Cass, but it was wrong. He looked upon this as a violation of justice, which deserved a signal correction; and therefore sent me to the man of power, and of known moral firmness, courage and independence.

Now this was very wrong, because if he had at once said to General Jones, it shall not be done sir, I will see the laws of my country obeyed without favor or affection, and had placed me back as I did anticipate, it would have saved General Jones some trouble, and have taught to him and many others a good lesson.

Such an act as this by the Secretary of War, would have shown to him and many thousands, to his honor, that the poor man had rights and privileges to be sustained by the executive power of this nation as well as the rich, and that gentlemen of velvet coats and silk stockings, must not expect to violate the law with impunity; that no system of oppression, can be admitted under a republican form of government, against the rich or poor, and that the rights of the people must be preserved by *solemn oath*.

I deeply regret that the Honorable Secretary Cass did not maintain his moral firmness and independence in this, as in the former case, as it has led to the necessity of this publication, in vindication of my good qualifications, as well as my well known character. The Lord God can bring good out of evil, and I hope it will have been done in this case; I regret it, because this course of moral firmness and independence, would have set a good example, and have saved the government of the United States many dollars, they must be morally bound to pay, in every violation of the law. There is a wonderful difference between moral firmness, and unholy firmness, or poltical firmness.

By this time, the reader and the honorable committee of the Senate, will perceive, that I was born with good natural abilities, better calculated to rule, than to be oppressed, with more knowledge of the laws of my country than they sup-

posed. The law sprang from sound reason, and reason is an innate principle or gift of God; it is not nailed to the bench or counter, as some suppose, nor is it confind to a certain class of men; it is a false notion of things: reason and good observation is to be found very often without eagle buttons, and I thank God that I have this opportunity, to show that I am by nature a lawyer, and that I consider this a golden opportunity, to inform the judgments of the people of the United States upon the subject of their legal rights which have been trampled upon by the silk stocking gentry, to the disgrace of the American Constitution.

CHAPTER VI.

But I must bring the reader to General Jackson's mode of deciding the case. It was submitted to his honor as instructed by the Secretary of War. He immediately instituted an inquiry, by calling upon General Macomb for the facts in the case. He did not call upon R. Jones, to make report; this would have been out of order. What! Call upon the man to report against himself! Is there any reason in calling upon the man, who violates the law to give judgment against himself? It is an absurdity, in the face of the law and common sense. General Macomb was unacquainted with my discharge as will be shown, and had nothing to do with it, he never ordered it or saw my discharge, until I showed it to him myself. This can be proved now, by his own hand writing.

For example, if he had ordered it, why send to R. Jones as he did, to state the cause of my discharge, to be prepared for an answer to General Jackson's inquiry .He was the General-in-Chief, and was acquainted with the law, and knew that my discharge could not take place properly, without his order, the Secretary's or the President's, which cannot be found in the office,and which order according to the law, must accompany all legal discharges; Is the committee acquainted with these facts? Let the committee call for these orders, which must be on record in the General order book, according to acts of Congress.

General Macomb sent to General Jones for the facts in the case, and received in reply, the following answer, now to be seen in his report to the Senate of the United States:

ADJUTANT GENERAL'S OFFICE,
Washington, June 15, 1835.

MAJOR GENERAL MACOMB,

SIR: In conformity with your instructions, I have examined the subject of the complaint of E. D. Tippett, respecting the legality of his discharge from the service, and have merely to remark, that it was made by and with your authority, according to the eleventh article of War, and which according to the usage of the service in innumerable like cases was signed by the Adjutant General of the Army.

On examining Tippett's discharge, I perceive the blank left for your name was omitted to be filled, which however, does not impair the legality of the discharge, as it is known to the army,* that the signature of the Adjutant General in such and many other cases, is expressive of the act of the Commanding General or Secretary of War, as the case may be.

Respectfully, yours,
R. JONES,
Adjutant General.

This was the reply of R. Jones to General Macomb, as his statement to be sent to President Jackson, who had never ordered my discharge, and was not acquainted with the cause. The law says, it must be by order of the President, the Secretary of War, the General in chief, or by a court martial. Now there can be no

* Mark the term—as it is known to the army, not the government, *on law*, but the army—that aristocratic power.

order found in the Office to that effect. The order in all instances, must state the cause of discharge, and be entered upon the General Order Book. If by a court martial, the whole proceedings of the court, are entered upon the General Order Book. Now does it not appear strange, that if General Macomb ordered my discharge; that he should call upon R. Jones to state the cause? And is it not more strange, that the order was not immediately produced, which must in all instances, state the cause of discharge. Now the people and the Congress of the United States, must not be deceived; it was not the truth, as we will now show by Macomb's own hand writing. In order to cover R. Jones, from the censure of President Jackson, General Macomb wrote upon this reply, the following note, which if well noticed, will prove Lieutenant Thomas's report, false and ridiculous.

Edward D. Tippett above referred to, enlisted at the instance of his friends, with a view of employing him temporarily as a clerk, he having produced evidence of his capacity to write neatly, as an act of charity,* the Secretary of War, Governor Cass, authorised his temporary employment, but it was found in the process of time, that Tippett's mind being engrossed with a variety of projects, that he was unfit for the place in which he was; but still out of kindness he was continued through the winter, and even longer, and was discharged because he did not answer the purpose for which he was enlisted in the Adjutant General's Office.

Signed A. MACOMB,
General in Chief.

Now the reader will see by this article, that I had produced evidence of my neat hand writing, and was not discharged on that account. But all this escapes the subject, my claim is for my term of enlistment, as a regular soldier in the Army of the United States. If my mind *was disordered by a variety of projects*, so that I could not attend to duty, and had not attended to duty. Where is the Court martial, that tried me? Or the medical gentlemen that examined my mind? Where is the order for this express purpose, as the law directs? As to my writing, there is no difficulty, my work will show, as every letter up to the very date of my discharge, had been neatly and correctly recorded. That falsehood of Major Thomas's, dated June 24, 1840, *six years after* the above note of General Macomb's, must fall to the ground, as he was at that time in the office, and not called upon to state any opinion of my work.

Had he made such a report at that time, it would have been proved by the work, that it was a fabricated falsehood. My qualifications were too well known, but I must pass on.

Now the honorable committee of the Senate, and the people of the United States may see, at once, that it is a direct falsehood, for it was in direct opposition to the law, to which he alludes, i. e. the eleventh article of War. The law positively says, that "when a soldier or a non commissioned officer shall have been enlisted in the army of the United States, he shall not be discharged until the term of his services shall have expired, except it be by *order* of the President of the United States, the Secretary of War, or the General in Chief, or by a Court martial." No man can be discharged against his will, except it be, for some offence, or for disqualification of duties by insanity, or otherwise, and in all cases, he must be legally examined and tried by a Court martial, *see Attorney General's opinion.*

The opinion of the United State's Attorney General is, that an enlistment, is a contract between the Government and the soldier, which cannot be abrogated, but by mutual consent. But General Macomb, was absolutely caught in a hobble, the reply was a fabricated thing, he did not know what to do with it. He knew that I had called upon him for the cause of my discharge, and that he had expressed his astonishment at it; that he had declared to me, that it was not by

☞ Mark the word charity of Secretary Cass, who never discharged me, or authorised it.

his order,and had recommended me to be silent, until the Secretary come home, and submit the case to him, giving me to understand, that it would be put to rights. I believe I can prove this interview with the General now.

He *retained* this reply of R. Jones for several days to my knowledge; at last it was sent to President Jackson, with a statement which denominated me to be insane; that this was the cause of my discharge, that my mind had become disordered with machinery and other matters, &c. The President sent for me, I sat down with him for some time, he asked me many questions, conversed upon some very important political points—of my family, where born and raised, how long I had been in the city, &c., and at last got upon machinery, he was unaccountably free to talk. After some time he said, Mr. Tippitt I perceive you have enemies in that office, and I would not advise you to go back to it; wait awhile and I will get you business elsewhere. The reader will see that no claim was set up at this time, for as yet it had not been known to exist, by my being an enlisted soldier.

I replied to him that I was suffering. Well said he, I will give you some work out of the General Land Office and wrote an order for it. I asked him for the report made to him by Macomb and he handed it to me, with this shameful statement written upon it in Macomb's own hand writing. He has appeared before the Supreme Judge of the world. I can say no more. I read it while in his presence, and asked for his opinion. He said he did not believe a word of it, (it may now be seen by the Committee of Claims.) He thought it a very singular transaction. I obtained from the Land Office, the 8th volume, filled it up, and all the patents. No complaint to this date had been set up against me for disqualification. I showed him my work before I carried it to the office, and he acknowledged its superiority; gave me another order, and strange to me, I obtained the 9th volume, so that I filled up the 8th and 9th in the War Department, and the 8th and 9th in the General Land Office; and if unqualified for the duties of a Clerk, these volumes will prove it—to which the Committee should have made reference, before reporting.

But suppose the honorable members of the Senate Committee should doubt the decision, as stated of General Jackson, will not the 8th and 9th volumes in the General Land Office prove it? And if it is so, does it not go to show that he too, had not moral firmness or independence sufficient to resist the courtesy of the silk stocking gentry. All will agree that this was not according to gunter; and that if such a man as Jackson could be overruled by the bewitching influence of the rich and the gay, by the permission and existence of such acts, to the injurious influence of arbitrary power and violation of the law, there is no hope for true republicanism under our present form of government. The people must take the subject in their own hands, and bring every thing to the law and the testimony, or there will be a change made, to the overthrow of our democracy.

Now, all these facts go to prove that the statement of Lieut. Thomas is a fabricated falsehood, to screen General Jones from censure. I fear him not, and will stand by this assertion: He is a deceitful hypocrite. This report of his was not made to General Jackson, the President—and yet at that time he was in the office. Let the Committee of the Senate look to that extraordinary event. There was no other report given against me at that time, but the report or letter to General Macomb, dated June 15, 1835, to be seen now in the report of the Committee of the Senate, page 4, to which has not been annexed General Macomb's note of the same date, of my insanity, the stated cause of my discharge.

CHAPTER VII.

If indeed, such a fabricated falsehood, as the one made by Lieutenant Thomas, could have been sustained, why was it not done at the period of General Jackson's investigation? and that of the honorable Secretary Cass? The answer is at hand, because Secretary Cass would have called for my work, which he would

have found superior to all in General Jones' bureau. Let the committee of the Senate, call for these books, and examine them with others, and they will see the falsehood on the very face of them, and let me be present, and I will show them something like one hundred and ninety-four syntaxical errors, such as, if I *had have written*, *I have wrote for*, *letters are being made out*, and a vast number of cases, where the first future tense, is used for the second future; this does not look like being unqualified; let the committee try me, and perhaps they will find the mistake.

Now the whole fact is, I boasted too much of my qualifications as a grammarian mathematician, and of my beautiful writing, which I sometimes said could not be beaten, it was according to gunter, &c. All of which was done to retort upon those who aimed to injure me, not against the General.

Just before I was discharged, I found out a secret, which had been carried on by Hebborn, Gold and Addison. When the orders and letters were sent to me to copy, Baker, or some one of these men, would come deceitfully, and say, Mr. Tippett, the General wishes you to take time, and make him such a number of this order or letter, in your very best hand writing. Supposing it to be so, I would plant myself down to the desk, with mathematical correctness. All this time, Lieutenant Prentice, I now believe understood the Secretary, and was one of the party to injure me. These letters or orders would shine like copper plate, but when I would carry them up to the General, he would fly into a passion because I had been so long about them.

I would innocently say to the General that I could not do such writing as that any faster, he would never say to me, I do not care how it is done, so it is correct. I found out the secret, and wrote an order in a quick, and easy hand, asked him if that writing would answer for these letters, he replied certainly, in good humor; I then told him what the messengers and the clerks had been doing and in future heard no complaint. Gen. R. Jones will not deny this statement, nor will he deny any of it from first to last when he stands before God in eternity; but he discharged me very soon after this. I would advise him and Lieut. Thomas to prepare to meet the Judge of all injustice by man. There is one more singular event which must be related, but the half cannot be told. I was one day nailed to the desk writing some orders in my best hand according to the message I had received. Three gentlemen came in to see Lieut. Prentice, after a while, one of them stepped up to my desk, took up an order that I had copied; went back and exclaimed in a low voice, well I'll be d—d if I would not give a thousand dollars to write such a hand—hush, hush G— d—n it, said a gentleman in a low voice. I could not tell the meaning for this until my discharge—it had been premeditated and it would not do to acknowledge me a good writer or recording clerk.

I now advertise for justice. If any one of the officers of the army, who was in the room with Gen. Macomb in the year, I think 1834, when I brought in the three memorials copied for Gen. Macomb, for Congress, the subject of which was, to get an act passed, to retain a portion of their pay as a fund for the support of their widows and orphans &c; should see this pamphlet, and will state the facts then and there said of me, relative to the writing, I will confer a valuable favor on him, not to be forgotten. E. D. TIPPETT.

CHAPTER VIII.

My claim was not set up until the early part of Martin Van Buren's administration, because it was not known to exist by me. It was handed to General Keim, and referred to the Committee on Military Affairs; it was left as unfinished business; and again submitted to Congress by Solomon Kellin of Baltimore, in 1840, and submitted to the Committee on Claims.

It was by this committee considered as a claim, already provided for by legislation, and acts of Congress in the eleventh article of war, &c. The opin-

ions of the United States' Attorneys General, were by them examined, and it was by that Committee, through their clerk, handed to me to be laid before John Tyler, and by him sent to Secretary Bell, and by that Secretary sent to R. Jones, Adjutant General, the very person who committed the violation of the law, and created the claim.

Secretary Bell received R. Jones' veto upon the claim, as might have been expected. It was returned to President Tyler, who handed it to me in that shape. I demurred, and proved it a wrong course, by stating a case as follows: to prove that General Jones was not the man to decide my claim. It had been found out by some one in the office, that all the clerks ranking as I did, were entitled to more pay than they had gotten. It was sought for, and obtained. I was in New York at the time, and was informed of the amount due me by one of the clerks.

This was in 1838, about three years after my discharge. I came to Washington immediately to draw my part, my account was made out by Mr. Law, and as in all other cases it had to be signed by General R. Jones. Mr. Law went with me to this very feeling man, so represented by his own account of my destitute situation, of "undissembled distress," and laid it before him. What's this? said he looking at Law, very earnestly. Mr. Law explained it. He denied that I was entitled to any part, in very harsh language, and would not sign the account. It is not worth while to state his indignant looks at me, but we had to go out insulted. Mr. Law got mad, told me to follow him, I did, and he went to the Secretary, and stated the very facts. The Secretary sent him to Major Cooper to have it signed and I got my money.

I stated this case to President Tyler as it happened, and he took my papers back again, and sent them back to Secretary Bell, with orders to have my claim examined and settled, according to law. Now this was a great degree of moral firmness—more than any of his predecessors. Secretary Bell treated me in a most shameful manner, when I went back, as did, also, his chief clerk. My papers were retained in the office, by some person, nor could I even get them during Tyler's administration, although President Tyler particularly called for them three or four times.

As soon as James K. Polk come into power, I anticipated a greater degree of moral justice and independence, and made some communication relative to this account, but without any success. I wrote to the Honorable W. L. Marcy for these papers, at his instance, they were found, and sent to me, they are those now before the Committee of the Senate of the United States, as also his opinion to the honorable Senator Bagby, who had aimed to get the claim confirmed by the law.

Now I ask any sound mind, any gentleman of common sense, if such a man as R. Jones should decide my account, or be called upon by the Secretary of War for his opinion? And is it not a want of common sense in Secretary Marcy not to see it? This case can be proved by Mr. Law, now in the office and a clerk. I ask any man having any christian feelings, any charitable principles or any man of sound sense, with a common soul, if the course pursued by all the Secretaries of War, and the Presidents of the United States, does not carry with it, a conclusive proof that a poor man cannot have justice done him. Does it not prove, without a shadow of doubt, that there has been, and is now, a disposition in all this, to cover up the oppressive, and illegal conduct of General R. Jones to my injury. Does it not show that some who rank high, and make a loud profession, neither fear God, or regard justice or truth. That there is not a particle of moral firmness, integrity, or independence in our rulers.

I ask the people of the United States to say, ye who are poor, and helpless; ye who give your votes for men to carry out the true principles of democracy, what confidence is to be placed, in breath of words? Does not this whole transaction go to prove, that the whole investigation from first to last, has been carried out

under most shameful systems of aristocracy and favoritism? That the rich must be sustained in all their wicked acts, that the poor must be oppressed, and that the character of a certain class, however defiled, must be supported at the expense of the poor. Well I am now about to commence my next part, and this will be short, but very interesting.

CHAPTER IX

Who is James K. Polk? This is a question that has been often asked, and now can be answered by all the people of this country, he happens to be the President of the United States. He is now a great man by name, and elevation. Our's is a most beautiful and extraordinary form of government, it can take a man who no body knows, out of a certain atmosphere, and send him upon the wings of the wind. It can take a man from the plough handle, or any one of the mechanical arts, and make a great and powerful machine of him. All that is necessary for a man in this country to rise to a state of distinction, is to get the good will of a few leading men of a party, and qualify himself upon some particular leading question, and all will be well. It matters not whether he possess true moral firmness, integrity or independence for the equal rights of man, this is not looked into, but he must manifest a great degree of firmness, for a particular political question, and he may be sure to find friends who will mount the fence, and crow, until his name shall have sounded throughout the continent.

The true principles of moral firmness, integrity, and independence, for the equal rights of man, are the only true qualifications necessary in addition to that necessary qualification of literary abilities, which may be limited, for a President of the United States. If James K. Polk possesses these divine and natural gifts, and graces, of God, he is the people's choice, but if not, he is a most shameful deceiver, because he was represented to the democracy of this country, as being a man of God, a christian, and a true republican, firmly fixed upon the true principles of equal rights, and equal privileges, in all matters, and it absolutely was expected to find in him, the righteousness and wisdom of a Solomon to rule, judge and decide all questions of dispute between rich or poor, without partiality or favoritism, and that there would be for once in sixty years, a President of sound moral courage, sufficient to resist the ruling courtecy of wealth and opulence against the common people.

Many prayers were put up to Almighty God for his success, I for one most devoutly supplicated a throne of grace in his behalf. No greater friend to the democracy, and the principles professed to be maintained than I, but I do not know the man; yet I cannot find him out; my experience goes to show, that he is not the man, that it is not James K. Polk, that he is not the man of God, as represented to be, that like Jacob we have served eight years for our bosom friend, but we shall yet have to serve four more, perhaps eight, before we can obtain our beloved Rachael. I give my reasons for this opinion, at the same time charitably hope, it may not be so, and earnestly pray that I may be deceived.

The public will recollect that I had been five years back struggling to accomplish safety in steam power, that I had submitted to Congress in 1836 and 1838 a cold water steam engine, and that an appropriation had been made for me, but withheld, by the board of commissioners in New York (see Renwick's report 1839,) that notwithstanding the opposition with which I had to contend, I continued to experiment in Baltimore city, and eventually accomplished the wishes of the select committee of the Senate of the U. S, by reducing my engine to crank motion but not perfect. With this imperfect operative model I came to this city 1841, to obtain some little strength by Congress.

My operative model engine was examined by Judge Underwood, chairman of the steam committee, in connection with Rennock's report; my theory of steam pronounced valid; and his report false. A very large appropriation was made by

Congress for general experiment, and I obtained a small portion, through John Tyler's intercession with Secretary Upshur, with which I succeeded in bringing my steam engine to the highest state of perfection; President Tyler examined my model engine with great attention and through him I absolutely reduced to practicability, another invention of the greatest magnitude; but I wanted money to put both into successful operation for the honor of my country.

James K. Polk's administration had now commenced, with an appropriation of $5000 for experiments, and I submitted a design of my inventions to him in person, with a view of getting some help; at first I found him kind, friendly, and more accessible, than any one of his predecessors. He looked over the theory lightly, acknowledged his incompetency for such business, that he was no mechanic, but recommended me to take it to Secretary Bancroft, as a man of universal talents in the arts and sciences; he said he was the very man. Bancroft was not in the city and I wanted to be prepared for his return with a recommendation to his honor, from some gentlemen of known influence to command his respect. I met with Secretary Walker, and asked him a question of a right as to before whom the subject should be laid, and his reply was, before any one of the cabinet, or all as a body. Then sir, said I, you will please to examine it. He politely invited me along with him. The business at that time was certainly very troublesome, such as should be forever done away, by an act of congress. It was the great press of the people for their rights in rotation to public office. After some trouble, he got time to give it a glance, and was to take another view of the subject, but never admitted me into his room any more, notwithstanding I repeatedly called and sent in for that purpose, prevented no doubt by a false report of me; I believe him a true democrat, but he wants some common sense.

I tried the Secretary of State, but could not succeed for very justifiable reasons, a great press of diplomatic duties; next the Secretary of War, Marcy, who was rather unwilling at first, and I thought somewhat rough to me, but yielded at last; and gave the subject some small consideration. He recommended me to take it to Mr. Bancroft, the man of profound scientific knowledge, but would give no opinion to him by way of examination. I still wanted a letter of introduction, and I will now state the reason, had absolutely heard that Bancroft was very aristocratic and I found him just that man.

I went to commodore Morrison, and to him, in the presence of an Officer in the Navy, most powerfully delineated upon my theory, but to no purpose, he declared he could not understand it, but recommended me to Secretary Bancroft as being the very man. Bancroft returned, and I repaired to his room, with my very important diagrams. I could not be admitted, notwithstanding I saw to my astonishment others continually preferred, and admitted, silk stocking gentlemen if you please, I saw some tarpaulin jackets that could not get to see him, and men on business. This continued for many days, at last I got angry, and declared I would see him, and was very loud about the matter. I remained until after office hours, and took the gentleman just as he came out. Well sir, said I, you will not admit me to see you in your office. I hope you will allow me now to walk with you to your home, and state my business. I was positive as I was not pleased, he replied certainly sir; looking at me with amazement, and we continued together to his door, at which place he promised to attend to me in six days.

I waited the time, and called, but as before, could not be admitted; eight days passed over of constant appeals but without success, while the eagle buttons were well attended to. I went one morning early, and asked the messenger if I could see the Secretary; yes sir, said he, and opened the door, and I walked in, with a polite bow. He looked at me for about one minute, steadily in my face, without speaking, or asking me to take a seat, went to the door, opened it, went out, and I heard him reprimand the messenger for letting me in. He came back, holding the door with his left hand and pointing to it with his right, looking at me with a positive

countenance of disapprobation, and with the gestures and motions of an orator, mixed with that of an angry man, said, Mr. Tippett, your business is with Commodore Morrison, sir! your business is with Commodore Morrison, he is your man!

By this time I had taken the hint of his right hand, and had gotten out into the passage, and replied with politeness, sir, I have been with Commodore Morrison, and he has acknowledged his incompetency to examine my diagrams and drawings. Then said he, with great power of rhetoric, and gestures of the right hand, go to the Secretary of War, he is your man, &c. Sir, said I, I have been with the Secretary of War, and he has declared you to be the man; moreover I have seen the President of the U. S. and he says it is your exclusive duties. He immediately closed the door in my face, and thus ended my interview with that most wonderful scientific and democratic gentleman who must have been carried away from his duties by some unjust account of me, as common sense would have dictated the propriety of examining for himself.

I went immediately to the President, called him out into an adjoining apartment, stated the case briefly, he said he would talk to the Secretary about it; was apparently very friendly, in every thing but one. I handed him a report made on my inventions to Secretary Henshaw, he said it was an old thing, and handed it back to me without looking at it, except the date. This was not according to gunter all will admit.

In two or three days I went back, and took my seat in the entry near the door; it was cabinet day, and after some time Mr. Bancroft came down and come to a kind of halt near me, and politely said, Mr. Tippett you have a devoted friend in the Secretary of State, to whom I would refer you with your diagrams, I assure you sir, he is your devoted friend, and immediately left me. Now if the President had spoken to him why did he not in some sort repair the damages done to my old age and experience, this would have been common sense.

This was done in the presence of many, and I was very sensibly reprimanded for not rising from my seat and making some reply to his honor; but I had not forgotten his treatment at his office door. I went off and wrote an account of this event to Secretary Buchanan, in which I desired to know, what I had done to gain his devoted friendship, and if so I desired an immediate interview, &c.

I received no answer, or the least hope of an interview, although I went every day and tried to see him, by very friendly and polite notes. Eventually I got angry, and wrote a very harsh note to him, in which I charged him and Bancroft, with attempting to humbug me, &c. This caused him to examine my papers, which had been sent in, ie., the letter and a report from Mr. Elles to Secretary Henshaw now in the hands of Senator Benton. This report was sent out to me, with a request to call the next morning at nine.

I met him next day on his way to the President's; before he reached me, he gave his head an oblique direction, taking good sight with one eye, as he is used to do when he is about to give a dead shot, and thus accosted me; well, Mr. Tippett, indeed, I am not surprised at your getting angry at my not attending to you, when I see that I had been represented to you by Mr. Bancroft as your devoted friend, laughing at the same time. The circumstance of the case was then talked over, and Mr. Bancroft's treatment not approved. He very politely requested me to call at his own house at 3 o'clock next day, I did and found him a perfect gentleman; but I cannot say that he has moral firmness or independence except on the Oregon question. He was as good as his word, he examined my diagrams, and promised to speak to Mr. Bancroft about it, if he did it had no effect, for common sense would have told him to send for me.

I have heard nothing of this since, have written several times to the President but no reply. I have seen him, but he looked at me with an eagle eye, and that is always sideways when about to pounce down upon its pray. I am not afraid of him, or his great talents, I am as well acquainted with the duties of the Executive of this nation, as he, Bancroft, Gov. Marcy, or any other man connected with the

cabinet, and will now proceed to show and explain the duties belonging to that high and honorable office to which he has been elevated; and I will show that the equal rights of men must be our next great political contest, and that the cardinal points in our constitution, must have the pre-eminence over all other questions, however great they may be; that the true democracy of this country, is equal rights and equal privileges without respect to party, money, or a fine appearance, that the minority have rights and privileges which must be supported as well as the majority by constitutional law.

Democracy signifies a popular form of government, or a government ruled by the voice of the people, which signifies the majority of the people, hence when the minority becomes the majority, it is still democracy. Now can it be expected that this government can long have a democratic form, if the rights of the people and laws of nations, are to be trampled upon by the silk stocking gentlemen of eagle buttons? A war may now be reasonably expected. Can it be supposed that the common people, in a free country will be forced from their dear families, and happy homes to fight the battles of the nation to support a system of aristocracy and favoritism?

Can it be supposed that the people are ignorant of their rights under the Constitution and the laws of Congress, because they happen not to be clothed in purple and fine linen? It is a wide mistake; the best talents of this nation and all other nations, are to be found among the mechanical and labouring part of the community, and they are now watching with a careful eye the movements of aristocratic power and oppression; and for their benefit and information, this Exposure has been written, but not for party motives all will see.

James K. Polk has it in his power to be one of the most popular Presidents that has ever been elevated to the Chief magistracy of this nation, but if he does not carry out the equal rights and equal privileges of man, or in other words equal access to all the honors and profits of the nation, by recommending to congress special provision for that purpose, he will be truly despised by the democracy and looked upon as a deceiver; I humbly pray to God that he may be the man.

The executive power of the American government must now be explained for the information, and common interest of the country. Under this power, the equal rights and equal privileges of the people of the United States, are to be maintained according to the declaration of our independence.

This power is simple, and very compact, it is easy to be explained, but has never been set forth in such colors, as to be properly understood and administered. The rights of the American people are to be maintained by the law and the testimony, without partiality of favoritism. The poor soldier, or the common people, are to have equal chance of testimony with the rich or silk stocking gentlemen, in all cases of equity, in support of character of or justice.

He that violates the law, is never to be called upon to decide his own case of oppression, it must come to the law and the testimony in all instances, and decided by a disinterested power, on solemn oath. Any gentleman known to be interested on the one side or the other, is not a proper subject for a juror, or to fill up the number of a court martial, and may be objected to by proper representation.

The executive power of this nation is vested in the President of the United States. This signifies, to execute, to carry into effect, to have properly fulfilled and well adjusted, all the laws or the acts of the Congress of the United States, at the will of the people.

The President of the United States has no power of his own, he is no arbitrary monarch, he is the Executive of the nation, and bound by solemn oath, to see the laws of the United States respected and obeyed, to support and maintain the true principles contained in the American Constitution, and to carry out the true meaning of equal rights, and equal privileges as set forth in the declaration of our independence; this being the foundation of the American compact, and the very essence of the American revolution.

There is not one particle of power granted to any one of his agents, or secretaries, to act without his immediate consent, and no arbitrary power or authority has been granted to any General, Commander, or officer of any grade, to usurp an oppressive power over those under their command. Every man's duty is prescribed by the law and must be supported by the law, and the testimony, without favor or affection, upon the true principle of equal rights.

The duty of each Secretary, to bring to the notice of the President of the United States, from his department, every violation of the law, and every complaint, with all the testimony requisite for the adjustment of the case, upon the true principles of equal rights, and equal privileges, and the complainant has a right to demand it, however poor or low he may be in pecuniary matters or meanly dressed; provided he is an American citizen, he must be protected, as well as those gentlemen of eagle coats, and of shining buttons.

The President of the United States has been wisely provided for, by a choice of proper counsel for him in all the business of the nation. He should be a man of good natural abilities, of known sound judgment, and of strict moral firmness, integrity, and independence. There is no necessity for his being a lawyer or a great general. It is only necessary, that he should be a man of good common sense, a man of known charitable principles, firmly rivitted to the equal rights of man, as set down in the declaration of our independence.

His Cabinet Council should be men of very particular choice, not only men of strict moral firmness, integrity, and independence, but men of long experience in legislative matters, and known to maintain his devoted princples to true democracy. The United States' Attorney General, should be a lawyer of the first order, for the best of reasons. The President is the Commander in Chief of all the armies of the United States, and hence, is derived the name Attorney General. The United States' Attorney General is the President's aidecamp. The word attorney signifies, a lawyer, one who manages or pleads for another.

The United States Attorney General is the President's first commander in the law; to him every dispute, every violation, every act of oppression, every claim and every wrong under the law, not decided by himself, should be submitted, and his opinion handed to the President in writing, and placed upon record, after it shall have been properly tried by the law and the testimony. The U. S. Attor-General should be, and must be upon solemn oath, bound to decide all cases with a wise reference to the law, and the equal rights of man.

The U. S. Attorney General is the people's lawyer to defend their rights aginst oppression under the general government, he is not the lawyer for the oppressor against the law, but the expounder of the law for the President in favour of the oppressed. This will prove that the U. S. Attorney General, holds one of the most responsible offices under the government of the U. S.; and it will also show that the manner and mode of settling claims or disputes where the law has been violated, that the rights of the people have not been properly administered.

The office of the U. S. Attorney General should be separate and distinct from all other offices, as his duties are to try all cases of violation of justice under the law in all other departments, and it should be so from the fact, that the Secretaries should not be subjected to any thing but the strict duties of the Office according to the law. The Congress of the U. S. is the people's Supreme Court of appeal, from the decision of the President and his Attorney General, and from thence to the Supreme Court of the United States. If then any gentleman has a claim against the government originating from the abuse of power, in any of the departments he has only to put his finger upon the law, by which it is sustained and submit it to the President of the U. S., whose first duty is to call upon the Secretary for the facts in connection with the case, it is not his business to decide, or call upon the offender of the law to decide in his own favor.

And lastly, "the President, Vice President and all the civil officers of the United States, shall be removed from office on impeachment for, and conviction of trea-

son, bribery, or other high crimes and misdemeanors"; (Constitution, art. 2, sec. 4,) and I know of no greater misdemeanor than that of partiality and favoritism to the support of a man, who has violated the moral law of God and of Congress; who has told a positive falsehood to the injury of his fellow man, and which can be proved by sound materials in a court of equity and justice of testimony.

By this it will have been seen, that no man can be dismissed from his situation, once obtained, but by a regular system of impeachment and conviction, that both the law and the testimony must decide all cases of violation, disobedience or disqualification and that the Congress of the United States has wisely framed laws to this effect, yet it must be admitted that there should be a stipulated period for office, to carry out the true principles of equal rights under the constitution of the U. S. and that the Congress of the United States, should fix upon some regular and equal system of rotation, to relieve the President and his cabinet of all censure, that they should stipulate the period and the proper mode of appointments, to put down party hatred, and that no man should be appointed to office, unless he was well qualified. (See Constitution sec. II, art. 2.)

To the people of the United States; the President, and both houses of Congress, I humbly dedicate this pamphlet, and my pamphlet of May, 1845, upon this subject, as my true sentiments for their consideration without party motives, favour or affection, for any thing, but the glory and honor of the American Democracy and its everlasting perpetuation.

CHAPTER XI.

Now there is one thing that must be noticed as the cap stone of this republican structure. Notwithstanding the express language of the constitution, as here stated in this article, every gentleman who has been elevated to the high and honorable office of the Presidency, has continued to violate it, in the very face of the Constitution. It is to be noticed that every stump orator, and all who have taken a conspicuous part in the elevation of President, immediately repair to the seat of government for office, as if this was the conditions upon which he was elected; thousands hop down upon him like flies in a tar barrel. They demand the situations of those who happen to be of the opposite party, and the Executive must do something to satisfy and quell this insurrection made upon him by his friends, for the great loss they have sustained in the combat. Each party has been more or less guilty of this conduct, to the disgrace of this nation, while Congress has passed no act to prevent it, and yet it has been made their duty in the second article of the Constitution of the United States.

But the most ridiculous conduct is this fact, they look out for those unfortunate men, who have no influence, as I have before hinted, those who have no friends of standing in office, or relation of consequence, attached to the army or navy, no rich relative in the office; they immediately pounce down upon these unfortuuate men, who are generally the best clerks. They must be removed to make room for others. This is indeed a corrupt and shameful state of things, and deserves loud repudiation; no man of wealth must be removed, however long in office, those who have been feasting upon the best for thirty or forty years, and are now wealthy, must remain, notwithstanding he may be decidedly opposed to the administration. None are removed, but the poor and the helpless, and what is more shameful, men of first rate qualifications, have been removed to make room for others, who had only been in office a short period, say from one to three years.

And all this appears to be done, that it may be sounded throughout the country, that the new administration is carrying out the views of the people in equal rights and equal privileges to admiration, while they are totally ignorant of the facts, and know not these shameful acts of injustice. The people of this country, are unanimously in favor of a regular and equal system of rotation to public

office by law, but not by arbitrary power. They wish to see a stipulated period for office, and the rights of the peolpe secured by law, without partiality or favoritism. They wish to see those who have been in office, for a number of years, and now wealthy, or ought to be so, removed and made to fall back in the rear, and others brought up to the front of the battle, that they may have an opportunity to show their valor.

On examination it will have been found, that not one of the Presidents of the United States have ever referred this subject to congress for modification in their messages; perhaps for one of two reasons, first, because they did not understand that it was a violation of the constitution, which is not very likely. I think it is more to be believed, that they have neglected it because they had a wish to retain a power, made by usage, as Gen. R. Jones says in his report to Gen. Macomb against me, June 15, 1835, to oppress the poor and the weak; and to chastise their opponents. I assure the public that James K. Polk was not without this view of the subject, for I sent to him the first copy of my pamphlet of May 1845, but perhaps it was not noticed, it was not the production of a great man.

The government of the U. S. ought not only to grant me my claim, but to vote me one thousand dollars for this independent work; at least each member ought to send me one dollar per copy, as I am very certain it will bring them to judgment. If James K. Polk had read, or published this article of the constitution and had shown to the people the extent of his power, and had admonished his friends to stay at home until the next Congress, and then had submitted the subject to the Congress of the United States, showing the necessity of establishing by law, a regular system of rotation to office, his name would have been handed down by the people to the last ages of the world.

But I must here make some apology for the Executive; all will agree that it was according to usage, as Gen. R. Jones says in his report, and therefore he has a right to violate this article of the constitution, and truly if evil for evil is correct, and that to dismiss a man for party motives is right, he is justified because it is usage; but let me inform the public that usage or custom never made a law and must be done away and the law set up for usage. Reason and common sense is the foundation of all law. Major Hook discharged my son because he usurped the power of usage, and so did R. Jones in my case, and never expected it would be exposed to public view; if the public journals had been as independent as they should have been, my views would have been before the public long ago. Since my late pamphlet of May 1845, I have been frequently called upon by gentlemen of standing to write upon this subject and have done it; but they have refused to publish them because they were destitute of moral firmness, or independence about the government, while the people at a distance have suffered for the truth.

The Constitution (art. II. sec. 2.) says, that "the Congress may by law vest the appointments of such inferior Officers as they think proper in the President alone, in the courts of law, or in the heads of departments," but it does not say that they shall have the power of discharging them contrary to law; on the contrary it expressly says that they shall be removed on impeachment for, and conviction of, treason, bribery or other high crimes and misdemeanors."

By this it must appear very conclusive that Congress has not the power to pass a law to dismiss, or discharge a man from Office, or from his contract made with the government, without some offence; that he must be tried by the law and the testimony, and indeed it must be so, or our form of government would be a shameful system of aristocracy and favoritism; there would be no safety in an office, hence there must be law for the appointments, and law for the time and mode of discharge.

I am, fellow citizens and people of the U. S., Your Obedient Servant,

EDWARD D. TIPPETT.

Washington, D. C., May 8, 1846

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